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Letter dated 30 January 2008 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

In my capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to address you, in your capacity as President of the Security Council during the month of January, with regard to the debate on the situation in the Middle East, including the Palestinian question, held by the Council today.

Once again, the Security Council rejected a legitimate request of the Non-Aligned Movement to participate in the organ's deliberations, thus preventing the Movement from expressing its views and formulating proposals. It is worth mentioning that the Non-Aligned Movement consists of 118 States Members of the United Nations, including the overwhelming majority of the States in the Middle East.

The Security Council's decision is yet another case in point of its lack of transparency and it further confirms the need to carry out an urgent and thorough reform of this organ, including its working methods.

The Non-Aligned Movement is fully aware of the fact that you, in your capacity as President of the Security Council, and the delegation of the Libyan Arab Jamahiriya have fully supported the Non-Aligned Movement's legitimate right to express its positions before the Security Council when highly relevant issues for the Movement are addressed, such as in this case. We know that other Council members strongly support such a right. Hence, it is unfortunate that certain permanent members refuse to allow our opinions and proposals to be heard.

I would very much appreciate it if the present letter and its annex, containing the statement that Cuba was to deliver on behalf of the Non-Aligned Movement at the aforementioned debate, were circulated as a document of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative of Cuba to the United Nations
Chairman of the Coordinating Bureau of the Non-Aligned Movement

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Annex to the letter dated 30 January 2008 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

Statement by Rodrigo Malmierca Díaz, Permanent Representative of Cuba, in his capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement at the Security Council debate on the situation in the Middle East, including the Palestinian question, New York, 30 January 2008

I have the honour to address the Security Council on behalf of the Non-Aligned Movement.

Despite recent developments in the international arena regarding the revival of the Middle East peace process and the resumption of bilateral negotiations between the Israeli and Palestinian sides for the first time in more than seven years, the situation on the ground continues to deteriorate and to be marked by deadly violence, instability and high tensions. In grave breach of international law and in contradiction to the peace process, Israel, the occupying Power, continues, inter alia, to carry out military attacks against the Palestinian people in the Occupied Palestinian Territory, particularly in the Gaza Strip, continues to expand its illegal settlements and to construct the Wall in the West Bank, including in and around Occupied East Jerusalem, and continues to impose closures and movement restrictions, including via its siege of the Gaza Strip, where the isolated and imprisoned Palestinian civilian population continues to suffer from a dire humanitarian crisis. At the same time, the situation in Lebanon remains complex and the Israeli occupation of the Syrian Golan continues.

All of these realities affect not only the Middle East region, but the entire international community for they seriously impact the prospects for peace, security and stability in the region and beyond.

While aware of the recent efforts that have been exerted to advance the cause of peace, the Movement strongly believes that the absence of respect for international law by the occupying Power continues to be the major obstacle to the success of efforts to achieve a just, lasting and comprehensive peace. In this connection, the Movement reiterates its regret that for more than 40 years the Palestinian people have been suffering under the brutal Israeli military occupation and colonization of their land since 1967 and that they continue to be denied their fundamental human rights, including the right to self-determination and the right of the Palestine refugees to return, in accordance with international law and the relevant United Nations resolutions.

The toll of human lives, injured, displaced, homeless, impoverished and those without access to basic needs in the Occupied Palestinian Territory continues to increase at an alarming rate. The poverty rate is currently at 65.8 per cent in the Occupied Palestinian Territory, reaching a total of more than 79 per cent of the population in the Gaza Strip. The continuing Israeli closures and restrictions on the movement and access of persons and goods, including humanitarian and medical, has made Palestinian economic recovery nearly impossible and continues to aggravate the prevailing humanitarian crisis.

Moreover, Israel, in contravention of the advisory opinion of the International Court of Justice and in violation of General Assembly resolution ES-10/15 of 20 July 2004, which reaffirms the illegality of the construction of the Wall in the Occupied Palestinian Territory, including East Jerusalem, continues to build that Wall and to impose an associated permit regime. The Non-Aligned Movement remains seriously concerned by the huge physical, economic and social devastation caused by the Wall, which is dividing the Occupied Palestinian Territory into separate, walled-in enclaves and severing East Jerusalem from the rest of the Territory, completely undermining the unity, integrity and contiguity of the Palestinian Territory; destroying entire communities; displacing thousands of Palestinian civilians and isolating tens of thousands more Palestinians in isolated cantons.

NAM reiterates its call for Israel, the occupying Power, to cease all of its violations against the Palestinian people in the Occupied Palestinian Territory and to abide scrupulously by its obligations under international law, including humanitarian and human rights law.

The Government of Lebanon has continuously endeavoured to stabilize the situation in its territory following Israel's relentless aggression and serious violations of the territorial integrity and sovereignty of Lebanon.

The Non-Aligned Movement reiterates its satisfaction with the steps undertaken by the Lebanese Government to implement Security Council resolution 1701 (2006), particularly through the deployment of the Lebanese Armed Forces in the region south of the Litani River and along the Blue Line. The Movement also welcomes the deployment of the Lebanese Armed Forces along the northern and eastern borders of Lebanon in order to ensure security and stability at the borders.

The Movement remains deeply concerned by the ongoing Israeli air and land violations of the Blue Line in breach of resolution 1701 (2006). We strongly call on Israel to end the occupation of the northern part of Al-Ghajar, on the northern side of the Blue Line, to immediately refrain from any violation of Lebanese sovereignty and of resolution 1701 (2006) and to refrain from any provocation to the Lebanese Armed Forces or the United Nations Interim Force in Lebanon. NAM calls for the prompt settlement of the question of the Shebaa farms in full respect for Lebanese territorial integrity, as stipulated in resolution 1701 (2006). We call upon all parties to cooperate in protecting Lebanon's sovereign rights in that area and note the important endeavours of the United Nations Secretary-General in this regard.

The Movement is acutely aware of the enormous challenge facing Lebanon resulting from the 1.2 million cluster munitions launched by Israel during its aggression against Lebanon in 2006. The Movement condemns once again the use of such weaponry by Israel and deplores the death toll resulting from them. The Non-Aligned Movement strongly calls upon Israel to provide the exact location of those deadly weapons and the maps of mines planted during its occupation of southern Lebanon.

The Movement expresses its support for the integrated plan of action contained in the statement of the Arab League Foreign Ministers of 5 January on Lebanon. And in this regard, the Movement commends the efforts by the Arab League Secretary-General to carry out this plan.

NAM reaffirms that all measures and action taken, or to be taken by Israel, the occupying Power, which purport to alter the legal, physical and demographic condition and institutional structure of the Occupied Syrian Golan, as well as the Israeli measures to impose jurisdiction and administration there, are null, void and without legal effect.

We also reaffirm that all these measures and actions, including the illegal construction and expansion of the Israeli settlements in the Syrian Golan since 1967, constitute violations of international law, international agreements, the United Nations Charter and resolutions, including Security Council resolution 497 (1981), and the Fourth Geneva Convention, and a challenge to the international community. The Movement demands that Israel abide by resolution 497 (1981) and withdraw completely from the Occupied Syrian Golan to the borders of 4 June 1967.

NAM hopes that the recent international efforts will effectively contribute to the achievement of a comprehensive, just, lasting and peaceful settlement, based on the relevant United Nations resolutions and in accordance with the rules and principles of international law.

NAM also expresses its hope that these efforts will ultimately bring an end to the occupation of all of the Arab territories occupied by Israel since 1967 that remain occupied, namely the Palestinian Territory, including East Jerusalem, and the Occupied Syrian Golan, and will lead to the establishment of the independent State of Palestine, with East Jerusalem as its capital, as well as a just solution to the question of refugees on the basis of General Assembly resolution 194 (III).

The Non-Aligned Movement reaffirms its support for the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973), 425 (1978), 1397 (2002) and 1515 (2003), and the principle of land for peace. Likewise, we reject attempts to alter the mandate of the peace process and the imposition of unilateral measures and strategies aimed at the imposition by Israel, the occupying Power, of an illegal unilateral solution.

NAM will continue to support and contribute in all possible aspects towards the achievement of a just, comprehensive and lasting peace in the Middle East, based on all relevant United Nations resolutions, the Arab Peace Initiative and the Road Map.